

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MATTHEW MAULE,

Plaintiff,

v.

Case No. 1:06-cv-236

JIM CRAWFORD, RUSS WAYNE,  
JEAN HEWGLEY, and UNKNOWN CHURCH,

Hon. Wendell A. Miles

Defendants.

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ORDER

This matter is before the Court on Plaintiff's Rule 60 Motion for Relief from Order, which pertains to the Court's Order entered on May 16, 2007, affirming the magistrate judge's Report and Recommendation (R& R) to deny Plaintiff's motion to compel discovery.

Plaintiff argues that Defendants filed a response to Plaintiff's objections to the magistrate judge's R & R which contained a significant and relevant misrepresentation. Defendants asserted that Plaintiff received their answers to interrogatories on January 9, 2007; Plaintiff claimed that signed answers were not mailed until January 19, 2007. The court concluded that Plaintiff had established that the answers were untimely, and accepted Plaintiff's date for purposes of its analysis. The Court was not, as Plaintiff claims, misled by an untrue contention.

Therefore, the Court DENIES Plaintiff's Rule 60 Motion for Relief from Order (dkt. #46).

So ordered this 8th day of June, 2007.

/s/ Wendell A. Miles  
Wendell A. Miles  
Senior U.S. District Judge